



DOCKET NO. CDS 0215

DAG/H
12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Randy K. Bower, et al.

Serial No.: 09/482,599

Art Unit: 1743

Filed : January 13, 2000

Examiner: Patricia K. BEX

FAILURE DETECTION IN AUTOMATED CLINICAL ANALYZERS

Confirmation No.: 7220

I hereby certify that this correspondence is being deposited with the
United States Postal Service as First Class Mail, in an envelope addressed
to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

22 July 2003

(Date of Deposit)

Todd J. Burns

(Name of applicant, assignee, or Registered Representative)


(Signature)

(Signature)

22 July 2003

(Date of Signature)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
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OFFICE OF PETITIONS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION**

Dear Sir:

The undersigned hereby petitions to withdraw the holding of abandonment in the captioned application, on the basis that the Office Action forming the basis of abandonment was not received.

The undersigned hereby states:

- (1) The Office Action indicated as mailed on November 14, 2002 was not received.
 - (2) A search of the file jacket and the docket records in my office indicates that this Office Action was not received.
 - (3) Attached as Exhibit A is a copy of the docket record where the non-received Office Action would have been entered had it been received and docketed. The Office Action would have been entered under the file no. "CDS0215 US/NP" having a deadline of 14-FEB-2003 and would have appeared directly above the entry for "CDS0285 US/NP."

(5) In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn and a new Office Action issued.

(6) The Commissioner is authorized to charge the petition fee (37 CFR § 1.17(h) - \$ 130.00) to Deposit Account No. 10-0750/CDS-0215/TJB in the name of Johnson & Johnson.

In the event of any non-payment of a required fee, the Commissioner is authorized to charge or credit Deposit Account No. 10-0750/CDS-0215/TJB in the name of Johnson & Johnson as required to correct the error.

Respectfully submitted,



Todd J. Burns
Reg. No. 38,011
Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1513
DATE: 22 JULY 2003

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